

104TH CONGRESS
2D SESSION

H. R. 4281

To provide a process leading to full self-government for Puerto Rico.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 1996

Mr. YOUNG of Alaska (for himself, Mr. BURTON of Indiana, and Mr. GALLEGLY) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide a process leading to full self-government for
Puerto Rico.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “United States-Puerto Rico Political Status Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title.
Sec. 2. Findings.
Sec. 3. Policy.

Sec. 4. Process for Puerto Rican full self-government, including the initial decision stage, transition stage, and implementation stage.

Sec. 5. Requirements relating to referenda, including inconclusive referendum and applicable laws.

Sec. 6. Congressional procedures for consideration of legislation.

Sec. 7. Availability of funds for the referenda.

1 SEC. 2. FINDINGS.

2 The Congress finds the following:

3 (1) Puerto Rico was ceded to the United States
4 and came under this Nation's sovereignty pursuant
5 to the Treaty of Paris ending the Spanish-American
6 War in 1898. Article IX of the Treaty of Paris ex-
7 pressly recognizes the authority of Congress to pro-
8 vide for the political status of the inhabitants of the
9 territory.

10 (2) Consistent with establishment of United
11 States nationality for inhabitants of Puerto Rico
12 under the Treaty of Paris, Congress has exercised
13 its powers under the Territorial Clause of the Con-
14 stitution (article IV, section 3, clause 2) to provide
15 by statute for the citizenship status of persons born
16 in Puerto Rico, including extension of special statu-
17 tory United States citizenship from 1917 to the
18 present.

19 (3) Consistent with the Territorial Clause and
20 rulings of the United States Supreme Court, partial
21 application of the United States Constitution has

1 been established in the unincorporated territories of
2 the United States including Puerto Rico.

3 (4) In 1950 Congress prescribed a procedure
4 for instituting internal self-government for Puerto
5 Rico pursuant to statutory authorization for a local
6 constitution. A local constitution was approved by
7 the people, amended and conditionally approved by
8 Congress, and thereupon given effect in 1952 after
9 acceptance of congressional conditions by the Puerto
10 Rico Constitutional Convention and an appropriate
11 proclamation by the Governor. The approved con-
12 stitution established the structure for constitutional
13 government in respect of internal affairs without al-
14 tering Puerto Rico's fundamental political, social,
15 and economic relationship with the United States
16 and without restricting the authority of Congress
17 under the Territorial Clause to determine the appli-
18 cation of Federal law to Puerto Rico, resulting in
19 the present "Commonwealth" structure for local
20 self-government. The Commonwealth remains an un-
21 incorporated territory and does not have the status
22 of "free association" with the United States as that
23 status is defined under United States law or inter-
24 national practice.

1 (5) In 1953 the United States transmitted to
2 the Secretary-General of the United Nations for cir-
3 culation to its Members a formal notification that
4 the United States no longer would transmit informa-
5 tion regarding Puerto Rico to the United Nations
6 pursuant to Article 73(e) of its Charter. The formal
7 United States notification document informed the
8 United Nations that the cessation of information on
9 Puerto Rico was based on the “new constitutional
10 arrangements” in the territory, and the United
11 States expressly defined the scope of the “full meas-
12 ure” of local self-government in Puerto Rico as ex-
13 tending to matters of “internal government and ad-
14 ministration, subject only to compliance with appli-
15 cable provisions of the Federal Constitution, the
16 Puerto Rico Federal Relations Act and the acts of
17 Congress authorizing and approving the Constitu-
18 tion, as may be interpreted by judicial decision.”.
19 Thereafter, the General Assembly of the United Na-
20 tions, based upon consent of the inhabitants of the
21 territory and the United States explanation of the
22 new status as approved by Congress, adopted Reso-
23 lution 748 (VIII) by a vote of 22 to 18 with 19 ab-
24 stentions, thereby accepting the United States deter-

1 mination to cease reporting to the United Nations
2 on the status of Puerto Rico.

3 (6) In 1960 the United Nations General Assem-
4 bly approved Resolution 1541 (XV), clarifying that
5 under United Nations standards regarding the polit-
6 ical status options available to the people of terri-
7 tories yet to complete the process for achieving full
8 self-government, the three established forms of full
9 self-government are national independence, free as-
10 sociation based on separate sovereignty, or full inte-
11 gration with another nation on the basis of equality.

12 (7) The ruling of the United States Supreme
13 Court in the 1980 case *Harris v. Rosario* (446 U.S.
14 651) confirmed that Congress continues to exercise
15 authority over Puerto Rico as territory “belonging to
16 the United States” pursuant to the Territorial
17 Clause found at Article IV, section 3, clause 2 of the
18 United States Constitution, a judicial interpretation
19 of Puerto Rico’s status which is in accordance with
20 the clear intent of Congress that establishment of
21 local constitutional government in 1952 did not alter
22 Puerto Rico’s status as an unincorporated United
23 States territory.

24 (8) In a joint letter dated January 17, 1989,
25 cosigned by the Governor of Puerto Rico in his ca-

1 pacity as president of one of Puerto Rico’s principal
2 political parties and the presidents of the two other
3 principal political parties of Puerto Rico, the United
4 States was formally advised that “. . . the People of
5 Puerto Rico wish to be consulted as to their pref-
6 erence with regards to their ultimate political sta-
7 tus”, and the joint letter stated “. . . that since
8 Puerto Rico came under the sovereignty of the Unit-
9 ed States of America through the Treaty of Paris
10 in 1898, the People of Puerto Rico have not been
11 formally consulted by the United States of America
12 as to their choice of their ultimate political status”.

13 (9) In the 1989 State of the Union Message,
14 President George Bush urged the Congress to take
15 the necessary steps to authorize a federally recog-
16 nized process allowing the people of Puerto Rico, for
17 the first time since the Treaty of Paris entered into
18 force, to freely express their wishes regarding their
19 future political status in a congressionally recognized
20 referendum, a step in the process of self-determina-
21 tion which the Congress has yet to authorize.

22 (10) In November of 1993, the Government of
23 Puerto Rico conducted a plebiscite initiated under
24 local law on Puerto Rico’s political status. In that
25 vote none of the three status propositions received a

1 majority of the votes cast. The results of that vote
2 were: 48.6 percent commonwealth, 46.3 percent
3 statehood, and 4.4 percent independence.

4 (11) In 1994, President William Jefferson Clin-
5 ton established the Executive Branch Interagency
6 Working Group on Puerto Rico to coordinate the re-
7 view, development, and implementation of executive
8 branch policy concerning issues affecting Puerto
9 Rico, including the November 1993 plebiscite.

10 (12) There have been inconsistent and conflict-
11 ing interpretations of the 1993 plebiscite results,
12 and under the Territorial Clause of the Constitution,
13 Congress has the authority and responsibility to de-
14 termine Federal policy and clarify status issues in
15 order to advance the self-determination process in
16 Puerto Rico.

17 (13) On December 14, 1994, the Puerto Rico
18 Legislature enacted Concurrent Resolution 62, which
19 requested the 104th Congress to respond to the re-
20 sults of the 1993 Puerto Rico Status Plebiscite and
21 to indicate the next steps in resolving Puerto Rico's
22 political status.

23 (14) Nearly 4,000,000 United States citizens
24 live in the islands of Puerto Rico, which have been
25 under United States sovereignty and within the

1 United States customs territory for almost 100
2 years, making Puerto Rico the oldest, largest, and
3 most populous United States island territory at the
4 southeastern-most boundary of our Nation, located
5 astride the strategic shipping lanes of the Atlantic
6 Ocean and Caribbean Sea.

7 (15) Full self-government for Puerto Rico is at-
8 tainable only through establishment of a political
9 status which is based on either separate Puerto
10 Rican sovereignty and nationality or full and equal
11 United States nationality and citizenship through
12 membership in the Union and under which Puerto
13 Rico is no longer an unincorporated territory subject
14 to the plenary authority of Congress arising from
15 the Territorial Clause.

16 **SEC. 3. POLICY.**

17 (a) CONGRESSIONAL COMMITMENT.—In recognition
18 of the significant level of local self-government which has
19 been attained by Puerto Rico, and the responsibility of the
20 Federal Government to enable the people of the territory
21 to freely express their wishes regarding political status and
22 achieve full self-government, this Act is adopted with a
23 commitment to encourage the development and implemen-
24 tation of procedures through which the permanent politi-
25 cal status of the people of Puerto Rico can be determined.

1 (b) OFFICIAL LANGUAGE.—It is the policy of the
2 Congress that English shall be the common language of
3 mutual understanding in the United States, and that this
4 policy shall apply in all of the States duly and freely ad-
5 mitted to the Union. The Congress recognizes that at the
6 present time, Spanish and English are the joint official
7 languages of Puerto Rico, and have been for nearly 100
8 years; that English is the official language of Federal
9 courts in Puerto Rico; that the ability to speak English
10 is a requirement for Federal jury services; yet Spanish
11 rather than English is currently the predominant language
12 used by the majority of the people of Puerto Rico; and
13 that Congress has the authority to expand existing Eng-
14 lish language requirements in the Commonwealth of Puer-
15 to Rico. In the event that the referenda held under this
16 Act result in approval of sovereignty leading to Statehood,
17 it is anticipated that upon accession to Statehood, English
18 would become the official language of the Federal Govern-
19 ment in Puerto Rico to the same extent as Federal law
20 then requires throughout the United States. Congress also
21 recognizes the significant advantage that proficiency in
22 Spanish as well as English has bestowed on the people
23 of Puerto Rico, and further that this will serve the best
24 interests of both Puerto Rico and the rest of the United

1 States in our mutual dealings in the Caribbean, Latin
 2 America, and throughout the Spanish-speaking world.

3 **SEC. 4. PROCESS FOR PUERTO RICAN FULL SELF-GOVERN-**
 4 **MENT, INCLUDING THE INITIAL DECISION**
 5 **STAGE, TRANSITION STAGE, AND IMPLEMEN-**
 6 **TATION STAGE.**

7 (a) INITIAL DECISION STAGE.—A referendum on
 8 Puerto Rico’s political status shall be held not later than
 9 December 31, 1998. The referendum shall be held pursu-
 10 ant to this Act and in accordance with the applicable pro-
 11 visions of Puerto Rico’s electoral law and other relevant
 12 statutes consistent with this Act. Approval of a status op-
 13 tion must be by a majority of the valid votes cast. The
 14 referendum shall be on the approval of 1 of the 3 options
 15 presented on the ballot as follows:

16 “Instructions: Mark the status option you choose as
 17 each is defined below. Ballot with more than 1 option
 18 marked will not be counted.

19 “A. COMMONWEALTH.—If you agree, mark here
 20 _____

21 “Puerto Rico should retain Commonwealth, in
 22 which—

23 “(1) Puerto Rico continues the present Com-
 24 monwealth structure for self government with re-
 25 spect to internal affairs and administration;

1 “(2) provisions of the Constitution and laws of
2 the United States apply to Puerto Rico as deter-
3 mined by Congress;

4 “(3) Puerto Rico remains a locally self-govern-
5 ing unincorporated territory of the United States;

6 “(4) continuation or modification of current
7 Federal law and policy applicable to Puerto Rico re-
8 mains within the discretion of Congress; and

9 “(5) the ultimate status of Puerto Rico will be
10 determined through a process authorized by Con-
11 gress which includes self determination by the people
12 of Puerto Rico in periodic referenda.

13 “B. SEPARATE SOVEREIGNTY.—If you agree, mark
14 here _____

15 “Puerto Rico should become fully self governing
16 through separate sovereignty leading to independence or
17 free association, in which—

18 “(1) Puerto Rico is a sovereign nation with full
19 authority and responsibility for its internal and ex-
20 ternal affairs and has the capacity to exercise in its
21 own name and right the powers of government with
22 respect to its territory and population;

23 “(2) a negotiated treaty of friendship and co-
24 operation, or an international bilateral pact of free
25 association terminable at will by either Puerto Rico

1 or the United States, defines future relations be-
2 tween Puerto Rico and the United States, providing
3 for cooperation and assistance in matters of shared
4 interest as agreed and approved by Puerto Rico and
5 the United States pursuant to this Act and their re-
6 spective constitutional processes;

7 “(3) a constitution democratically instituted by
8 the people of Puerto Rico, establishing a republican
9 form of full self-government and securing the rights
10 of citizens of the Puerto Rican nation, is the su-
11 preme law, and the Constitution and laws of the
12 United States no longer apply in Puerto Rico;

13 “(4) The people of Puerto Rico owe allegiance
14 to the sovereign nation of Puerto Rico and have the
15 nationality, and citizenship thereof; United States
16 sovereignty, nationality, and citizenship in Puerto
17 Rico is ended; birth in Puerto Rico and relationship
18 to persons with statutory United States citizenship
19 by birth in the former territory are not bases for
20 United States nationality or citizenship, except that
21 persons who had such United States citizenship have
22 a statutory right to retain United States nationality
23 and citizenship for life, by entitlement or election as
24 provided by the United States Congress, based on
25 continued allegiance to the United States: *Provided,*

1 That such persons will not have this statutory Unit-
2 ed States nationality and citizenship status upon
3 having or maintaining allegiance, nationality, and
4 citizenship rights in any sovereign nation other than
5 the United States;

6 “(5) upon recognition of Puerto Rico by the
7 United States as a sovereign nation and establish-
8 ment of government-to-government relations on the
9 basis of comity and reciprocity, Puerto Rico’s rep-
10 resentation to the United States is accorded full dip-
11 lomatic status;

12 “(6) Puerto Rico is eligible for United States
13 assistance provided on a government-to-government
14 basis, including foreign aid or programmatic assist-
15 ance, at levels subject to agreement by the United
16 States and Puerto Rico;

17 “(7) property rights and previously acquired
18 rights vested by employment under laws of Puerto
19 Rico or the United States are honored, and where
20 determined necessary such rights are promptly ad-
21 justed and settled consistent with government-to-
22 government agreements implementing the separation
23 of sovereignty; and

1 “(8) Puerto Rico is outside the customs terri-
2 tory of the United States, and trade between the
3 United States and Puerto Rico is based on a treaty.

4 “C. STATEHOOD.—If you agree, mark here _____

5 “Puerto Rico should become fully self governing
6 through United States sovereignty leading to Statehood,
7 in which—

8 “(1) the people of Puerto Rico are fully self-
9 governing with their rights secured under the United
10 States Constitution, which is the supreme law and
11 has the same force and effect as in the other States
12 of the Union;

13 “(2) the sovereign State of Puerto Rico is in
14 permanent union with the United States, and powers
15 not delegated to the Federal Government or prohib-
16 ited to the States by the United States Constitution
17 are reserved to the people of Puerto Rico or the
18 State Government;

19 “(3) United States citizenship of those born in
20 Puerto Rico is guaranteed, protected and secured in
21 the same way it is for all United States citizens born
22 in the other States;

23 “(4) residents of Puerto Rico have equal rights
24 and benefits as well as equal duties and responsibil-

1 ities of citizenship, including payment of Federal
2 taxes, as those in the several States;

3 “(5) Puerto Rico is represented by two mem-
4 bers in the United States Senate and is represented
5 in the House of Representatives proportionate to the
6 population;

7 “(6) United States citizens in Puerto Rico are
8 enfranchised to vote in elections for the President
9 and Vice President of the United States; and

10 “(7) English is the official language of business
11 and communication in Federal courts and Federal
12 agencies as made applicable by Federal law to every
13 other State, and Puerto Rico is enabled to expand
14 and build upon existing law establishing English as
15 an official language of the State government, courts,
16 and agencies.”.

17 (b) TRANSITION STAGE.—

18 (1) PLAN.—(A) Within 180 days of the receipt
19 of the results of the referendum from the Govern-
20 ment of Puerto Rico certifying approval of a ballot
21 choice of full self-government in a referendum held
22 pursuant to subsection (a), the President shall de-
23 velop and submit to Congress legislation for a tran-
24 sition plan of 10 years minimum which leads to full
25 self-government for Puerto Rico consistent with the

1 terms of this Act and in consultation with officials
2 of the three branches of the Government of Puerto
3 Rico, the principal political parties of Puerto Rico,
4 and other interested persons as may be appropriate.

5 (B) Additionally, in the event of a vote in favor
6 of separate sovereignty, the Legislature of Puerto
7 Rico, if deemed appropriate, may provide by law for
8 the calling of a constituent convention to formulate,
9 in accordance with procedures prescribed by law,
10 Puerto Rico's proposals and recommendations to im-
11 plement the referendum results. If a convention is
12 called for this purpose, any proposals and rec-
13 ommendations formally adopted by such convention
14 within time limits of this Act shall be transmitted to
15 Congress by the President with the transition plan
16 required by this section, along with the views of the
17 President regarding the compatibility of such pro-
18 posals and recommendations with the United States
19 Constitution and this Act, and identifying which, if
20 any, of such proposals and recommendations have
21 been addressed in the President's proposed transi-
22 tion plan.

23 (C) Additionally, in the event of a vote in favor
24 of United States sovereignty leading to Statehood,
25 the President shall include in the transition plan

1 provided for in this Act, proposals and incentives to
2 increase the opportunities of the people of Puerto
3 Rico to learn to speak, read, write, and understand
4 English fully, including but not limited to, the teach-
5 ing of English in public schools, fellowships, and
6 scholarships. The transition plan should promote the
7 usage of English by the United States citizens of
8 Puerto Rico, in order to best allow for—

9 (i) the enhancement of the century old
10 practice of English as an official language of
11 Puerto Rico, consistent with the preservation of
12 our Nation's unity in diversity and the preven-
13 tion of divisions along linguistic lines;

14 (ii) the use of language skills necessary to
15 contribute most effectively to the Nation in all
16 aspects, including but not limited to Hemi-
17 spheric trade, and for citizens to enjoy the full
18 rights and benefits of their citizenship;

19 (iii) the promotion of efficiency and fair-
20 ness to all people in the conduct of the Federal
21 and State government's official business; and

22 (iv) the ability of all citizens to take full
23 advantage of the economical, educational, and
24 occupational opportunities through full integra-
25 tion with the United States.

1 (2) CONGRESSIONAL CONSIDERATION.—The
2 plan shall be considered by the Congress in accord-
3 ance with section 6.

4 (3) PUERTO RICAN APPROVAL.—

5 (A) Not later than 180 days after enact-
6 ment of an Act pursuant to paragraph (1) pro-
7 viding for the transition to full self-government
8 for Puerto Rico as approved in the initial deci-
9 sion referendum held under subsection (a), a
10 referendum shall be held under the applicable
11 provisions of Puerto Rico’s electoral law on the
12 question of approval of the transition plan.

13 (B) Approval must be by a majority of the
14 valid votes cast. The results of the referendum
15 shall be certified to the President of the United
16 States.

17 (4) EFFECTIVE DATE FOR TRANSITION PLAN.—

18 The President of the United States shall issue a
19 proclamation announcing the effective date of the
20 transition plan to full self-government for Puerto
21 Rico.

22 (c) IMPLEMENTATION STAGE.—

23 (1) PRESIDENTIAL RECOMMENDATION.—Not
24 less than two years prior to the end of the period
25 of the transition provided for in the transition plan

1 approved under subsection (b), the President shall
2 submit to Congress legislation with a recommenda-
3 tion for the implementation of full self-government
4 for Puerto Rico consistent with the ballot choice ap-
5 proved under subsection (a).

6 (2) CONGRESSIONAL CONSIDERATION.—The
7 plan shall be considered by the Congress in accord-
8 ance with section 6.

9 (3) PUERTO RICAN APPROVAL.—

10 (A) Within 180 days after enactment of
11 the terms of implementation for full self-govern-
12 ment for Puerto Rico, a referendum shall be
13 held under the applicable provisions of Puerto
14 Rico's electoral laws on the question of the ap-
15 proval of the terms of implementation for full
16 self-government for Puerto Rico.

17 (B) Approval must be by a majority of the
18 valid votes cast. The results of the referendum
19 shall be certified to the President of the United
20 States.

21 (4) EFFECTIVE DATE OF FULL SELF-GOVERN-
22 MENT.—The President of the United States shall
23 issue a proclamation announcing the date of imple-
24 mentation of full self-government for Puerto Rico.

1 **SEC. 5. REQUIREMENTS RELATING TO REFERENDA, IN-**
2 **CLUDING INCONCLUSIVE REFERENDUM AND**
3 **APPLICABLE LAWS.**

4 (a) APPLICABLE LAWS.—

5 (1) REFERENDA UNDER PUERTO RICAN
6 LAWS.—The referenda held under this Act shall be
7 conducted in accordance with the applicable laws of
8 Puerto Rico, including laws of Puerto Rico under
9 which voter eligibility is determined and which re-
10 quire United States citizenship and establish other
11 statutory requirements for voter eligibility of resi-
12 dents and nonresidents.

13 (2) FEDERAL LAWS.—The Federal laws appli-
14 cable to the election of the Resident Commissioner
15 of Puerto Rico shall, as appropriate and consistent
16 with this Act, also apply to the referenda. Any ref-
17 erence in such Federal laws to elections shall be con-
18 sidered, as appropriate, to be a reference to the
19 referenda, unless it would frustrate the purposes of
20 this Act.

21 (b) CERTIFICATION OF REFERENDA RESULTS.—The
22 results of each referendum held under this Act shall be
23 certified to the President of the United States and the
24 Senate and House of Representatives of the United States
25 by the Government of Puerto Rico.

1 (c) CONSULTATION AND RECOMMENDATIONS FOR IN-
2 CONCLUSIVE REFERENDUM.—

3 (1) IN GENERAL.—If a referendum provided in
4 section 4(b) or (c) of this Act does not result in ap-
5 proval of a fully self-governing status, the President,
6 in consultation with officials of the three branches of
7 the Government of Puerto Rico, the principal politi-
8 cal parties of Puerto Rico, and other interested per-
9 sons as may be appropriate, shall make rec-
10 ommendations to the Congress within 180 days of
11 receipt of the results of the referendum.

12 (2) EXISTING STRUCTURE TO REMAIN IN EF-
13 FECT.—If the inhabitants of the territory do not
14 achieve full self-governance through either integra-
15 tion into the Union or separate sovereignty in the
16 form of independence or free association, Puerto
17 Rico will remain an unincorporated territory of the
18 United States, subject to the authority of Congress
19 under Article IV, Section 3, Clause 2 of the United
20 States Constitution. In that event, the existing Com-
21 monwealth of Puerto Rico structure for local self-
22 government will remain in effect, subject to such
23 other measures as may be adopted by Congress in
24 the exercise of it's Territorial Clause powers to de-

1 terminate the disposition of the territory and status of
2 it's inhabitants.

3 (3) AUTHORITY OF CONGRESS TO DETERMINE
4 STATUS.—Since current unincorporated territory
5 status of the Commonwealth of Puerto Rico is not
6 a permanent, unalterable or guaranteed status under
7 the Constitution of the United States, Congress re-
8 tains plenary authority and responsibility to deter-
9 mine a permanent status for Puerto Rico consistent
10 with the national interest. The Congress historically
11 has recognized a commitment to take into consider-
12 ation the freely expressed wishes of the people of
13 Puerto Rico regarding their future political status.
14 This policy is consistent with respect for the right of
15 self-determination in areas which are not fully self-
16 governing, but does not constitute a legal restriction
17 or binding limitation on the Territorial Clause pow-
18 ers of Congress to determine a permanent status of
19 Puerto Rico. Nor does any such restriction or limita-
20 tion arise from the Puerto Rico Federal Relations
21 Act (48 U.S.C. 731 et seq.).

22 (4) ADDITIONAL REFERENDA.—To ensure that
23 the Congress is able on a continuing basis to exer-
24 cise its Territorial Clause powers with due regard
25 for the wishes of the people of Puerto Rico respect-

1 ing resolution of Puerto Rico’s permanent future po-
 2 litical status, in the event that a referendum con-
 3 ducted under section four is inconclusive as provided
 4 in this subsection, or a majority vote to continue the
 5 Commonwealth structure as a territory, there shall
 6 be another referendum in accordance with this Act
 7 prior to the expiration of a period of four years from
 8 the date such inconclusive results are certified or de-
 9 termined. This procedure shall be repeated every
 10 four years, but not in a general election year, until
 11 Puerto Rico’s unincorporated territory status is ter-
 12 minated in favor of a recognized form of full self-
 13 government in accordance with this Act.

14 **SEC. 6. CONGRESSIONAL PROCEDURES FOR CONSIDER-**
 15 **ATION OF LEGISLATION.**

16 (a) IN GENERAL.—The majority leader of the House
 17 of Representatives (or his designee) and the majority lead-
 18 er of the Senate (or his designee) shall each introduce leg-
 19 islation (by request) providing for the transition plan
 20 under section 4(b) and the implementation recommenda-
 21 tion under section 4(c) not later than 5 legislative days
 22 after the date of receipt by Congress of the submission
 23 by the President under that section, as the case may be.

24 (b) REFERRAL.—The legislation shall be referred on
 25 the date of introduction to the appropriate committee or

1 committees in accordance with rules of the respective
2 Houses. The legislation shall be reported not later than
3 the 120th calendar day after the date of its introduction.
4 If any such committee fails to report the bill within that
5 period, that committee shall be automatically discharged
6 from consideration of the legislation, and the legislation
7 shall be placed on the appropriate calendar.

8 (c) CONSIDERATION.—

9 (1) After the 14th legislative day after the date
10 on which the last committee of the House of Rep-
11 resentatives or the Senate, as the case may be, has
12 reported or been discharged from further consider-
13 ation of such legislation, it is in order after the legis-
14 lation has been on the calendar for 14 legislative
15 days for any Member of that House in favor of the
16 legislation to move to proceed to the consideration of
17 the legislation (after consultation with the presiding
18 officer of that House as to scheduling) to move to
19 proceed to its consideration at any time after the
20 third legislative day on which the Member announces
21 to the respective House concerned the Member's in-
22 tention to do so. All points of order against the mo-
23 tion to proceed and against consideration of that
24 motion are waived. The motion is highly privileged
25 in the House of Representatives and is privileged in

1 the Senate and is not debatable. The motion is not
2 subject to amendment, or to a motion to postpone,
3 or to a motion to proceed to the consideration of
4 other business. A motion to reconsider the vote by
5 which the motion is agreed to or disagreed to shall
6 not be in order. If a motion to proceed to the consid-
7 eration of the legislation is agreed to, the respective
8 House shall immediately proceed to consideration of
9 the legislation without intervening motion (exception
10 one motion to adjourn), order, or other business.

11 (2)(A) In the House of Representatives, during
12 consideration of the legislation in the Committee of
13 the Whole, the first reading of the legislation shall
14 be dispensed with. General debate shall be confined
15 to the legislation, and shall not exceed 4 hours
16 equally divided and controlled by a proponent and
17 an opponent of the legislation. After general debate,
18 the legislation shall be considered as read for
19 amendment under the five-minute rule. Consider-
20 ation of the legislation for amendment shall not ex-
21 ceed 4 hours excluding time for recorded votes and
22 quorum calls. At the conclusion of the bill for
23 amendment, the Committee shall rise and report the
24 bill to the House with such amendments as may
25 have been adopted. The previous question shall be

1 considered as ordered on the legislation and amend-
2 ments thereto to final passage without intervening
3 motion, except one motion to recommit with or with-
4 out instructions. A motion to reconsider the vote on
5 passage of the legislation shall not be in order.

6 (B) In the Senate, debate on the legislation,
7 and all amendments thereto and debatable motions
8 and appeals in connection therewith, shall be limited
9 to not more than 25 hours. The time shall be equally
10 divided between, and controlled by, the majority
11 leader and the minority leader or their designees. No
12 amendment that is not germane to the provisions of
13 such legislation shall be received. A motion to fur-
14 ther limit debate is not debatable.

15 (3) Appeals from the decisions of the Chair re-
16 lating to the application of the rules of the Senate
17 or the House of Representatives, as the case may be,
18 to the procedure relating to the legislation described
19 in subsection (a) shall be decided without debate.

20 (d) CONSIDERATION BY OTHER HOUSE.—(1) If, be-
21 fore the passage by one House of the legislation described
22 in subsection (a) that was introduced in that House, that
23 House receives from the other House the legislation de-
24 scribed in subsection (a)—

1 (A) the legislation of the other House shall not
2 be referred to a committee and may not be consid-
3 ered in the House that receives it otherwise than on
4 final passage under subparagraph (B)(ii) or (iii);
5 and

6 (B)(i) the procedure in the House that receives
7 such legislation with respect to such legislation that
8 was introduced in that House shall be the same as
9 if no legislation had been received from the other
10 House; but

11 (ii) in the case of legislation received from the
12 other House that is identical to the legislation as en-
13 grossed by the receiving House, the vote on final
14 passage shall be on the legislation of the other
15 House; or

16 (iii) after passage of the legislation, the legisla-
17 tion of the other House shall be considered as
18 amended with the text of the legislation just passed
19 and shall be considered as passed, and that House
20 shall be considered to have insisted on its amend-
21 ment and requested a conference with the other
22 House.

23 (2) Upon disposition of the legislation described
24 in subsection (a) that is received by one House from
25 the other House, it shall no longer be in order to

1 consider such legislation that was introduced in the
2 receiving House.

3 (e) Upon receiving from the other House a message
4 in which that House insists upon its amendment to the
5 legislation and requests a conference with the House of
6 Representatives or the Senate, as the case may be, on the
7 disagreeing votes thereon, the House receiving the request
8 shall be considered to have disagreed to the amendment
9 of the other House and agreed to the conference requested
10 by that House.

11 (f) DEFINITION.—For the purposes of this section,
12 the term “legislative day” means a day on which the
13 House of Representatives or the Senate, as appropriate,
14 is in session.

15 (g) EXERCISE OF RULEMAKING POWER.—The provi-
16 sions of this section are enacted by the Congress—

17 (1) as an exercise of the rulemaking power of
18 the Senate and the House of Representatives and, as
19 such, shall be considered as part of the rules of each
20 House and shall supersede other rules only to the
21 extent that they are inconsistent therewith; and

22 (2) with full recognition of the constitutional
23 right of either House to change the rules (so far as
24 they relate to the procedures of that House) at any

1 time, in the same manner, and to the same extent
2 as in the case of any other rule of that House.

3 **SEC. 7. AVAILABILITY OF FUNDS FOR THE REFERENDA.**

4 (a) IN GENERAL.—

5 (1) AVAILABILITY OF AMOUNTS DERIVED FROM
6 TAX ON FOREIGN RUM.—During the period begin-
7 ning on October 1, 1996, and ending on the date the
8 President determines that all referenda required by
9 this Act have been held, from the amounts covered
10 into the treasury of Puerto Rico under section
11 7652(e)(1) of the Internal Revenue Code of 1986,
12 the Secretary of the Treasury—

13 (A) upon request and in the amounts iden-
14 tified from time to time by the President, shall
15 make the amounts so identified available to the
16 treasury of Puerto Rico for the purposes speci-
17 fied in subsection (b); and

18 (B) shall transfer all remaining amounts to
19 the treasury of Puerto Rico, as under current
20 law.

21 (2) REPORT OF REFERENDA EXPENDITURES.—

22 Within 180 days after each referendum required by
23 this Act, and after the end of the period specified in
24 paragraph (1), the President, in consultation with
25 the Government of Puerto Rico, shall submit a re-

1 port to the United States Senate and United States
2 House of Representatives on the amounts made
3 available under paragraph (1)(A) and all other
4 amounts expended by the State Elections Commis-
5 sion of Puerto Rico for referenda pursuant to this
6 Act.

7 (b) GRANTS FOR CONDUCTING REFERENDA AND
8 VOTER EDUCATION.—From amounts made available
9 under subsection (a)(1), the Government of Puerto Rico
10 shall make grants to the State Elections Commission of
11 Puerto Rico for referenda held pursuant to the terms of
12 this Act, as follows:

13 (1) 50 percent shall be available only for costs
14 of conducting the referenda.

15 (2) 50 percent shall be available only for voter
16 education funds for the central ruling body of the
17 political party, parties, or other qualifying entities
18 advocating a particular ballot choice. The amount al-
19 located for advocating a ballot choice under this
20 paragraph shall be apportioned equally among the
21 parties advocating that choice.

22 (c) ADDITIONAL RESOURCES.—In addition to
23 amounts made available by this Act, the Puerto Rico Leg-
24 islature may allocate additional resources for administra-
25 tive and voter education costs to each party so long as

- 1 the distribution of funds is consistent with the apportion-
- 2 ment requirements of subsection (b).

